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COUNTY OF BUTTE

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Attorneys for Defendants

BUTTE COUNTY DEFENDANTS

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CANNON HUGH DANIELS, deceased;
decedent's wife, ARIELE ROSTAMO aka
ARIELE NELSON; decedent's mother,
SUSAN ADELL DANIELS; and decedent's
father, JOSEPH ALBERT DANIELS, IV,
individually,

Plaintiff,

vs.

CALIFORNIA FORENSIC MEDICAL
GROUP, INC., WELLPATH
MANAGEMENT, INC., BUTTE COUNTY,
S. Parker, D. Brownfield, Sergeant Turner,
Sergeant Behlke, Deputy Darnell, Deputy
Smith, Deputy Yee, Deputy Bazan, Deputy
Thornton, Sergeant Mell, Deputy Lazurenko,
Deputy LaRue, Deputy Ogden, Deputy
Mayfield, Deputy Davis, Deputy Tauscher and
Lt. Jarrod Agurkis, SACRAMENTO
COUNTY, Officer McKersie, Sergeant Bunn,
Sergeant Jenkins, Officer Rickett, Lieutenant
Hodgkins, Officer Gailey, Officer Tallman,
Officer Pomosson, and Officer Folena
Defendants.

Case No.: 2:21-cv-0277 JAM-JDP

**STIPULATION FOR DISMISSAL OF
PLAINTIFFS' FIFTH AND SIXTH CLAIMS
AGAINST DEFENDANT COUNTY OF BUTTE;
ORDER**

/ Complaint Filed: 02/11/2021

Having met and conferred prior to Defendant COUNTY OF BUTTE filing its motion for summary judgment, IT IS HEREBY STIPULATED by and between Plaintiffs Arielle Rostamo aka Arielle Nelson, Susan Adell Daniels, and Joseph Albert Daniels (“Plaintiffs”) and Defendant County of Butte (“the County”), through their counsel of record:

1. Plaintiffs’ Fifth Claim for Relief against the County for Professional Negligence/Medical Malpractice under California State Law is dismissed from Plaintiffs’ Complaint with prejudice; and
2. Plaintiffs’ Sixth Claim for Relief against the County for Negligence and Negligence Per Se under California State Law is dismissed from Plaintiffs’ Complaint with prejudice.

IT IS SO STIPULATED.

Date: July 27, 2023

PORTER | SCOTT
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By /S/ Alison J. Southard
William E. Camy
Alison J. Southard
Attorneys for Butte County Defendants

Date: July 27, 2023

ANDREW E. BAKOS & ASSOCIATES, P.C.

By /S/ Andrew Bakos
Andrew Bakos
Attorney for Plaintiffs

Date: July 27, 2023

D.B. HILL, A PROFESSIONAL LAW CORPORATION

By /S/ Dennis B. Hill
Dennis B. Hill
Attorney for Plaintiffs

ORDER

Pursuant to the stipulation of the parties, and good cause appearing therefore, IT IS HEREBY ORDERED as follows:

1. Plaintiffs' **Fifth Claim** for Relief for Professional Negligence/Medical Malpractice under California State Law is hereby **DISMISSED** as to the County only with prejudice;
2. Plaintiffs' **Sixth Claim** for Relief for Negligence and Negligence Per Se under California State Law is hereby **DISMISSED** as to the County only with prejudice.

IT IS SO ORDERED.

Dated: July 27, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE